

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JCM CAPITAL CORP.,	:	
	:	
Plaintiff,	:	CIVIL ACTION NO. 03-857 (MLC)
	:	
v.	:	ORDER & JUDGMENT
	:	
BROZA, BLOCK & RUBINO, P.A.,	:	
et al.,	:	
	:	
Defendants/Third-Party	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
STERILTX, INC., et al.,	:	
	:	
Third-Party Defendants.	:	
_____	:	

For the reasons stated in the Court's memorandum opinion, **IT IS** on this 13th day of October, 2005, **ORDERED** that the Court's order to show cause why the action should not be dismissed for lack of jurisdiction under 28 U.S.C. § 1332 (dkt. entry nos. 47 & 53) is **GRANTED**; and

IT IS FURTHER ORDERED that the cross motion to (1) dismiss the complaint insofar as asserted against the defendant Videre Group, LLP, and (2) for miscellaneous relief (dkt. entry no. 50) is **DENIED** as follows:

DENIED TO THE EXTENT that the cross motion seeks to dismiss the complaint insofar as asserted against the defendant Videre Group, LLP, and

DENIED WITHOUT PREJUDICE TO THE EXTENT that the cross motion seeks other miscellaneous relief; and

IT IS FURTHER ORDERED that the separate motion for summary judgment (dkt. entry no. 58) is **DENIED WITHOUT PREJUDICE**; and

IT IS FURTHER ORDERED that the separate motion to dismiss (dkt. entry no. 60) is **DENIED WITHOUT PREJUDICE**; and

IT IS FURTHER ADJUDGED that the complaint is **DISMISSED** for lack of jurisdiction under Section 1332, **WITHOUT PREJUDICE** to the plaintiff to re-commence the action in an appropriate state court; and

IT IS FURTHER ORDERED that the plaintiff is **GRANTED LEAVE** to re-commence the action in an appropriate state court by **NOVEMBER 4, 2005**; and

IT IS FURTHER ORDERED that the Clerk of the Court designate the action as **CLOSED**.

s/ Mary L. Cooper
MARY L. COOPER
United States District Judge